

**IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

MAXINE WHITE,

Plaintiff,

v.

FRONTIER AIRLINES, INC.

Defendant.

§  
§  
§  
§  
§  
§  
§  
§  
§

CASE NO. 16-cv-1266

**JURY DEMAND**

---

**NOTICE OF REMOVAL OF ACTION UNDER 28 U.S.C. § 1332(a)**  
**(DIVERSITY JURISDICTION)**

PLEASE TAKE NOTICE that Defendant Frontier Airlines, Inc. ("Frontier") hereby removes to this Court the state court action described below.

1. On November 3, 2016, plaintiff, Maxine White ("Plaintiff"), commenced an action in the District Court, 53rd Judicial District, Travis County, State of Texas, Case No. 16-005470. A copy of the citation and original petition served on Frontier is attached in the Index as Exhibit A. The Index being contemporaneously filed herewith is incorporated herein by reference for all purposes.
2. On November 3, 2016, Frontier was served via personal service.
3. To the best of the undersigned's knowledge, the documents contained in the Index comprise all filings to date in this matter.
4. This is a personal injury case alleging that Plaintiff was injured while boarding a Frontier flight on June 10, 2015.
5. Plaintiff is a resident of Travis County, Texas.
6. Frontier's principal place of business is Denver, Colorado.

7. Plaintiff alleges in her complaint that she suffered “severe physical injuries as well as mental and physical trauma.” (Plaintiff’s Petition, Exhibit A, p. 2.)
8. Plaintiff further alleges in her complaint that she is seeking “monetary relief over \$200,000,” as well as exemplary damages. (Id., at p. 5.)
9. This action is a civil action of which this Honorable Court has jurisdiction under 28 U.S.C. § 1332(a) since complete diversity exists between the parties and the amount in controversy exceeds \$75,000.
10. This is a matter which may be removed to this Court by Defendant pursuant to 28 U.S.C. § 1441(a) and § 1446.
11. As Frontier was served on November 3, 2016, this removal is timely.
12. Plaintiff requested a jury trial in her state complaint and Frontier requests a jury trial in this matter as well.
13. As required by 28 U.S.C. § 1446, Frontier will give notice of the filing of this notice to the Plaintiff and to the clerk of the state court, where the action is presently pending.

WHEREFORE, Frontier respectfully requests removal of this matter to this Honorable Court.

Respectfully submitted,

**SMITH | ROBERTSON | ELLIOTT, LLP**  
221 West Sixth Street, Suite 1100  
Austin, Texas 78701  
Telephone: (512) 225-5800  
Telecopier: (512) 225-5838

By: /s/ A. Lee Rigby  
A. Lee Rigby  
State Bar No. 24029796  
lrigby@smith-robertson.com  
**ATTORNEYS FOR DEFENDANT**

**CERTIFICATE OF SERVICE**

I hereby certify that on December 2, 2016, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following and I further certify that I have served the foregoing by email.

Joel Levine  
LAW OFFICE OF JOEL A. LEVINE, PLLC  
5407 Parkcrest Drive, Suite 300  
Austin, Texas 78731  
t: (512)-982-1510  
f: (512)-367-5928  
*joel@joelalevine.com*